

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

IN RE PHARMACEUTICAL INDUSTRY AVERAGE WHOLESAL PRICE LITIGATION

MDL NO. 1456

CIVIL ACTION NO. 01-CV-12257-PBS

Hon. Patti B. Saris

THIS DOCUMENT RELATES TO
ALL ACTIONS

**DECLARATION OF KATHERINE B. SCHMECKPEPER IN SUPPORT OF
DEFENDANT ASTRAZENECA PHARMACEUTICALS LP'S MEMORANDUM OF
LAW IN SUPPORT OF ITS MOTION IN LIMINE TO EXCLUDE EVIDENCE
RELATING TO GUILTY PLEAS AND SAMPLING ACTIVITY**

I, Katherine B. Schmeckpeper, declare as follows:

1. I am an attorney with Foley Hoag, LLP, counsel for AstraZeneca Pharmaceuticals LP in this action. I submit this declaration in support of AstraZeneca Pharmaceuticals LP's Memorandum of Law in Support of Its Motion to Exclude Evidence Relating to Guilty Pleas and Sampling Activity.
2. Attached as Exhibit 1 is a true and correct copy of Memorandum of Plea Agreement in United States v. AstraZeneca Pharmaceuticals, LP, Criminal Action No. 03-55 (D. Del.).
3. Attached as Exhibit 2 is a true and correct copy of Memorandum of Plea Agreement in United States v. Saad Antoun, M.D., Criminal Action No. 02-13 (D. Del.).
4. Attached as Exhibit 3 is a true and correct copy of Memorandum of Plea Agreement in United States v. Robert A. Berkman, M.D., Criminal Action No. 03-45 (D. Del.).

5. Attached as Exhibit 4 is a true and correct copy of Memorandum of Plea Agreement in United States v. Stanley C. Hopkins, M.D., Criminal Action No. 02-127 (D. Del.).
6. Attached as Exhibit 5 is a true and correct copy of Information filed in United States of America v. AstraZeneca Pharmaceuticals, LP., Criminal Action No. 03-55 (D. Del.).
7. Attached as Exhibit 6 is a true and correct copy of Information filed by U.S. Attorney in United States v. Saad Antoun, M.D., Criminal Action No. 02-13 (D. Del.).
8. Attached as Exhibit 7 is a true and correct copy of Information filed by U.S. Attorney in United States v. Stanley C. Hopkins, M.D., Criminal Action No. 02-127 (D. Del.).
9. Attached as Exhibit 8 is a true and correct copy of Transcript of the Plea Hearing in United States v. Robert A. Berkman, M.D., Criminal Action No. 03-45 (D. Del.).

I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed on October 10, 2006.

By: /s/ Katherine B. Schmeckpeper
Katherine B. Schmeckpeper (BBO# 663200)